

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE)	Chapter 7
)	
MICHAEL S. HELMSTETTER,)	Case No. 19 – 28687
)	
Debtor.)	Hon. Jacqueline P. Cox

NOTICE OF ROUTINE MOTION

TO: Attached Service List

PLEASE TAKE NOTICE THAT on February 2, 2021, at 1:00 p.m., I shall appear before the Honorable Judge Jacqueline P. Cox, or any other judge sitting in her stead, and request a hearing on the Chapter 7 Trustee's Routine Motion to Enter Order Extending Time to File Adversary Complaint Objecting to Discharge, a copy of which is attached hereto and thereby served upon you.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must do the following:

To appear by video, use this link: <http://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 1612732896 and the password is 778135. The meeting ID and password can also be found on the judge's page on the court's website.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, these motions will be called on the presentment date. If no Notice of Objection is timely filed, the Court may grant the motions in advance without a hearing

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, hereby state that pursuant to Section II, B, 4 of the Administrative Procedures for the Case Management/Electronic Case Filing System, I caused a copy of the foregoing NOTICE OF MOTION and MOTION to be served on all persons set forth on the attached Service List identified as Registrants through the Court's Electronic Notice for Registrants and, as to all other persons on the attached Service List by mailing a copy of same in an envelope properly addressed and with postage fully prepaid and by depositing same in the U.S. Mail, Chicago, Illinois, on 22nd day of January, 2021.

/s/ Gregory K. Stern
Gregory K. Stern

Gregory K. Stern (Atty. ID #6183380)
Monica C. O'Brien (Atty. ID # 6216626)
Dennis E. Quaid (Atty. ID #02267012)
Rachel S. Sandler (Atty. ID #6310248)
53 West Jackson Boulevard, Suite 1442
Chicago, Illinois 60604/(312) 427-1558

SERVICE LIST

Registrants Served Through The Court's Electronic Notice For Registrants

Patrick S. Layng
Office of the U.S. Trustee, Region 11
219 South Dearborn Street, Room 873
Chicago, Illinois 60604

David R. Herzog
Herzog & Schwartz PC
77 West Washington Street
Suite 1400
Chicago, Illinois 60602

Richard L Hirsh
1500 Eisenhower Lane
Suite 800
Lisle, IL 60532

Debra Devassy Babu
Askounis & Darcy, PC
444 North Michigan Avenue
Suite 3270
Chicago, Illinois 60611

Jamie L Burns
Levenfeld Pearlstein, LLC
2 North LaSalle Street
Suite 1300
Chicago, Illinois 60602

Whitman H. Brisky
Mauck & Baker LLC
1 North LaSalle Street
Suite 600
Chicago, Illinois 60602

Parties Served By United States Mail

Michael S. Helmstetter
PO Box 1092
Safety Harbor FL 34695

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FOR THE NORTHERN DISTRICT OF ILLINOIS
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IN RE)	Chapter 7
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MOTION TO EXTEND TIME TO FILE OBJECTIONS TO DISCHARGE

Now comes N. Neville Reid, Chapter 7 Trustee (the ‘Trustee’), by and through his attorneys, Gregory K. Stern, Monica C. O'Brien, Dennis E. Quaid and Rachel S. Sandler, and in support of his Motion to Extend Time to File Objections to Discharge, states as follows:

1. On October 9, 2019, Michael S. Helmstetter (the ‘Debtor’) caused a Voluntary Petition for relief under Chapter 7 of the United States Bankruptcy Code to be filed; and David R. Herzog (the ‘Trustee’) was appointed as trustee in this case.

2. The Debtor’s meeting of creditors, pursuant to 11 U.S.C. § 341, was initially scheduled and held on November 15, 2019, and was continued to January 6, 2020.

3. The Debtor’s Chapter 7 Schedules reflect extensive assets and business interests, including but not limited to bank accounts, equity interests in automobile dealerships, reinsurance companies and other entities, tax refunds and causes of action having a scheduled value of \$8,414,579.67.

4. The Debtor’s Chapter 7 Schedules reflect priority unsecured debt of \$888,338.81 and non-priority unsecured debt of \$5,607,106.87.

5. The original deadline for the Trustee to file objections to discharge is on or before January 14, 2020. Subsequently, December 4, 2019 and June 23, 2020, orders were entered extending the deadline to file objections to discharge pursuant to 11 U.S.C. § 727 to June 30, 2020,

September 30, 2020, November 30, 2020, and February 1, 2021, respectively.

6. On March 17, 2020, an Order Granting Leave for 2004 Examination of the Debtor (the “2004 Order”) was entered which ordered and directed the Debtor to produce documents requested by the Trustee. After many delays, the Debtor produced documents to the Trustee; and, on December 29, 2021, the Trustee conducted an extensive oral examination of the Debtor.

7. During the oral examination, additional documents were requested of the Debtor.

8. On January 20, 2021, counsel for the Trustee received the transcript of the Debtor’s 2004 oral examination. A review of this transcript is necessary to generate a comprehensive list of additional documents that need to be produced by the Debtor and reviewed by the Trustee and his counsel.

9. The Trustee needs additional time (a) to review the 2004 oral examination transcript; (b) to review the additional documents produced by the Debtor; and, (c) to determine whether facts exist to support the filing of an adversary complaint objecting to the Debtor’s discharge pursuant to 11 U.S.C. §727. Accordingly, the Trustee requests an extension of the deadline to file objections to discharge pursuant to 11 U.S.C. § 727 up to and including May 2, 2021.

WHEREFORE, the Trustee prays for entry of an Order extending the time to file an adversary complaint objecting to discharge under 11 U.S.C. § 727 to May 2, 2021; and, for such other further relief as this Court deems just.

/s/ Gregory K. Stern

Gregory K. Stern, Attorney For Trustee

Gregory K. Stern (Atty. ID #6183380)
Monica C. O'Brien (Atty. ID # 6216626)
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